

REMARKS

In the Office Action mailed September 11, 2003, claims 1, 7, 13, 14, 15, 19, and 20 were objected to because of informalities; claims 1, 3, 7, 7, 13-15, and 17-20 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; and claims 1, 3, 7, 7, 13-15, and 17-20 were rejected under 35 USC § 103(a) as being unpatentable over JP 60-205641 in view of JP 3-253933. The foregoing objections and rejections are respectfully traversed.

In accordance with the foregoing, claims 1, 7, 13, 14, 15, 19, and 20 have been amended. No new matter is presented. Claims 1, 3, 7, 13-15, and 17-20 are pending and under consideration.

Claims 1, 7, 13, 14, 15, 19, and 20 are amended, taking the Examiner's comments into consideration. Withdrawal of the objections to the foregoing claims for informalities and the rejections of claims 1, 3, 7, 13-15, and 17-20 under 35 USC § 112, second paragraph as being indefinite is respectfully requested.

The Examiner's rejections of all pending claims 1, 3, 7, 13-15, and 17-20 under 35 USC § 103(a) as being unpatentable over JP 60-205641, in view of JP 3-253933, are respectfully traversed.

Attorney for applicants is advised that JP 60-205641 discloses a volume accessing method for accessing one physical volume among a plurality of physical volumes storing a logical volume, and having a pair of counters for counting the request number of each physical disk and for queuing a new access in a minimum counting number disk.

Attorney for applicants is further advised that JP 60-205641 discloses a computing system that does not judge status information of a logical volume, in contrast to the present invention.

In addition, Attorney for applicants is advised that JP 3-253933 discloses a multiple disk system for alternately accessing plural disks and having a table indicating an abnormal disk number. In JP 3-253933 a disk control system is provided in which a management table is used. The Examiner cites page 8 lines 24-27, where a "table stores: a logical disk in which two disks are paired and considered as a single disk; the various states of two physical disks..." is discussed.

In contrast to the foregoing references relied upon, the table stored in the present

invention patentably distinguishes over the table stored in JP '933.

Moreover, JP 3-253933 does not disclose a RAID apparatus.

Independent claims 1, 7, 13-15, 19, and 20 of the present application, as amended, recite that the status of the logical volume stored in the table includes structure definition information and mirroring information for each logical volume.

More particularly, each of independent claims 1, 7, 13-15, 19, and 20 recites (using the recitation of claim 1 as an example),:

"...status information of said logical disk units when said status information indicates abnormal, and

wherein said status information stored in said table includes structure definition information and mirroring information for each logical volume."

In addition, the Examiner is respectfully requested to withdraw the combination rejection since there is no explicit motivation to combine the foregoing references.

Withdrawal of the foregoing rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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